REMARKS

Claims 1-19 are pending. Claims 1-19 have been examined and rejected.

Items 1 and 2 reject claims 1-7 and 9-18 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 5,946,386 to Rogers *et al.*, "Rogers" hereinafter.

Items 3 rejects claims 1 and 11 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 5,661,790 to Hsu, "Hsu" hereinafter.

Items 4 and 5 reject claims 8 and 9 under 35 U.S.C. §103(a) as obvious over Rogers in view of U.S. Patent No. 6,035,031 to Silverman, "Silverman" hereinafter.

Applicants traverse the rejections and request reconsideration.

Anticipation Rejections

Rogers

The Office Action asserts that Rogers discloses all elements of Applicants' claims. The same passages in Rogers are cited for all elements: col. 15, lines 35-42, and col. 37, lines 8-18. Accordingly, it is important to examine these passages closely:

> 1.30 International CallBack
> The Call Management System provides a "CallBack" subsystem with which a calling party places a call from a foreign telephone, the system receives the call and telephone number, then terminates the call and immediately dials the caller back at the number received. This process saves significant telephone expenses compared with the costs of calls from many foreign countries.

Rogers, col. 15, lines 35-42.

> 1. Play out selected pre-recorded messages 715 to the caller, personalized for the caller and recorded in the called party's own

> voice, e.g., "John, I'm out of the office today. If you need to speak to sales, press one, or to speak to Sam, press two. Otherwise, I will call you back tomorrow." Or "John, I'm on the phone right now, but don't hang up, I'll be right with you." These messages can also be used for "Callback" responses to important persons, e.g., "Mark, I got your FAX and have found the shipping date is December 12. Let me know if I can help you further."

Rogers, col. 37, lines 8-18.

Neither passage discloses the elements of Applicants' claims. Both passages are extremely sketchy. It appears that Rogers is attempting to show the compatibility of its system with conventional callback arrangements.

In the conventional arrangements for international callback, a callback is typically arranged to a switch, such as a PBX, and does not extend to the person ultimately being called. *See, e.g.,* Chakravarti, discussed in great detail in previous responses.

The second passage does not seem to be on point. There is no indication of what relationship the message to "Mark" has to a callback arrangement. Is a callback arranged? Is "Mark" going to call back? Applicants respectfully request the Patent Office to specify exactly what elements it asserts are disclosed in this passage.

The system of Rogers is not described in detail; absent such detailed description, it must be presumed that Rogers uses existing systems. In any event, there is no **disclosure** of Applicants' system in Rogers, as required by the law in order for Roger to anticipate.

Moreover, there is no disclosure anywhere in Rogers of a second user choosing whether or not to accept the call back request. All of Applicants' claims include this limitation, explicitly or by implication. Because Rogers does not include the limitations of Applicants' claims, it does not

anticipate any of Applicants' claims.

Hsu

Hsu is also cited as anticipating Applicants' system. Applicants disagree. In support of its

rejection, the Patent Office references Fig. 2 of the drawings and the following passage:

> According to the CAR [Class Automatic Recall] feature, when a first subscriber calls a second subscriber, the first subscriber's own telephone number is transported along with the second subscriber's number over the SS7 telecommunications network to the local exhange servicing the second subscriber. The local exchange servicing the second subscriber extracts the first subscriber's telephone number from the received SS7 message and stores the number in its own database. After the termination of the initial call, if the second subscriber wishes to recall the first subscriber, the second subscriber merely enters an appropriate service code. Upon receipt of the service code, the local exchange retrieves the stored first subscriber's telephone number from the database and initiates a call setup toward the first subscriber.

Hsu, col. 3, line 58, to col. 4, line 4.

Hsu's system appears to be directed to an automatic callback feature, such as the *69 feature

or a variation. Hsu's system does not disclose *inter alia* a first user making a callback request or a

second user choosing whether to accept the callback request. Because Hsu does not disclose the

elements of Applicants' claims, it does not anticipate them.

Obviousness Rejections

Rogers in view of Silverman

Silverman appears to concern the management of automatic redial so that a user "calls back"

(e.g., calls again) a called party's telephone when it is no longer busy. Silverman is cited for the

teaching of an automatic timer; in any event, Silverman does not dislcose elements of Applicants' claims that are lacking in Rogers, such as, *inter alia*, a first user intiating a callback request and/or a second user choosing whether to accept the callback request.

In any event, the cited art gives no teaching, suggestion, disclosure, or motivation for combining Rogers and Silverman or for modifying their teachings to yield the limitations of Applicants' claims. Neither Rogers nor Silverman recognizes one of the problems addressed by Applicants' system: efficiently reaching a called party who may be at any of several telephone numbers. Accordingly, Applicants assert that their claims are not obvious over Rogers in combination with Silverman.

Rogers and Hsu

Although the Patent Office has not rejected Applicants' claims over a combination of Rogers and Hsu, Applicants wish to address the issue to obviate any such rejection. Rogers and Hsu in combination do not yield the limtiations of Applicants' claims, including *inter alia*, a first user initiating a callback request and/or a second user choosing whether to accept the callback request. Neither Rogers nor Hsu provides a teaching, suggestion, disclosure, or motivation for their combination or for modifying their teachings to yield the limitations of Applicants' claims.

Rogers mentions callback only in passing; at most, it appears to be discussing the implementation of known callback features into its system. Hsu is directed to an entirely different application, facilitating a *69-type callback. Neither recognizes nor addresses the problem addressed by Applicants, the efficient management of calls directed to a user who may not be at his "home" location. Accordingly, Applicants submit that their claims are not obvious over Rogers and Hsu in

combination.

Conclusion

Applicants submit that their invention as claimed is not disclosed, taught, or suggested by the cited art. Therefore, it is submitted that all pending claims are allowable over the art of record and it is respectfully requested that the application be passed to allowance and issue.

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Respectfully submitted,

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